

ENROLLED ORDINANCE 159-21

AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 8, T8N, R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM THE A-5 MINI FARM AND R-1 RESIDENTIAL DISTRICTS TO THE R-2 RESIDENTIAL AND A-2 RURAL HOME DISTRICTS (CZ-1503A)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of requisite notice of said hearing, and a recommendation for approval thereon reported to the Land Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.69 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on February 26, 1959, is hereby amended to conditionally rezone certain lands from the A-5 Mini Farm and R-1 Residential Districts to the R-2 Residential and A-2 Rural Home Districts, located in part of the NE ¼ of Section 8, T8N, R17E, Town of Oconomowoc, and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference (CZ-1503A), subject to the following conditions:

1. The proposed development shall be limited to a maximum of four single-family lots, one of which will contain the existing single-family residence and served by a 60' access way to Main Street unless a public road is constructed in compliance with the Town of Oconomowoc road specifications.
2. Subject to a Certified Survey Map being submitted to and approved by the Town of Oconomowoc and the Waukesha County Department of Parks and Land Use, Planning and Zoning Division Staff.
3. Subject to the petitioner preparing and submitting for review and approval by the Land Conservation Division (LCD), an Erosion and Stormwater Management Plan for the proposed land division. This requirement for approval by the LCD and the Town Engineer shall not make any changes or modifications to the existing Stormwater Management Plans of the Blue River Reserve Subdivision unless approved by the Town Engineer and LCD.
4. Prior to the zoning becoming affective or approval of the Certified Survey Map, the applicant must submit and have approval of a Conditional Use Permit by the Town of Oconomowoc Plan Commission and the Waukesha County Park and Planning Commission and any conditions of that approval must be complied with.
5. Subject to the owner of the property reconstructing the ditch line along Blue River Pass to comply with the Town of Oconomowoc Land Division Ordinance for road standards, Construction Plans shall be submitted to the Town Engineer for review and approval prior to any construction activities taking place and any and all fees or assurances the construction will occur, must be submitted to the Town and documentation presented to the County, prior to final approval of the Certified Survey Map.


BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Oconomowoc.

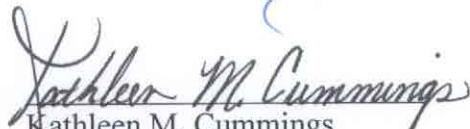
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

AMEND THE TOWN OF OCONOMOWOC DISTRICT ZONING MAP OF THE
WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF OCONOMOWOC BY
CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼
OF SECTION 8, T8N, R17E, TOWN OF OCONOMOWOC, WAUKESHA COUNTY,
WISCONSIN, FROM THE A-5 MINI FARM AND R-1 RESIDENTIAL DISTRICTS
TO THE R-2 RESIDENTIAL AND A-2 RURAL HOME DISTRICTS (CZ-1503A)

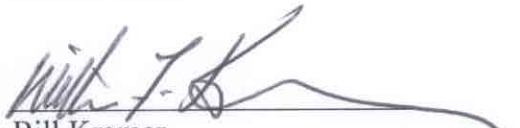
Presented by:
Land Use, Parks, and Environment Committee

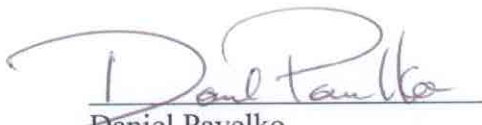

Walter L. Kolb, Chair

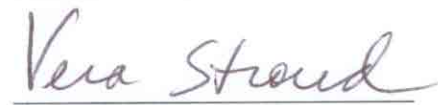

Kathleen M. Cummings

Absent
Pauline T. Jaske

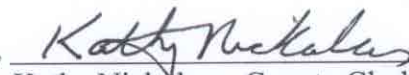

Scott J. Klein


Bill Kramer


Daniel Pavelko


Vera Stroud

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 6-25-04, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: ☒

Vetoed: ☐

Date: 6-28-04, 
Daniel M. Finley, County Executive

**TOWN OF OCONOMOWOC PLAN COMMISSION & TOWN BOARD
PLANNER'S REPORT & RECOMMENDATION
ZONING MAP AMENDMENT**



PROJECT NAME: Robert Sell
PROJECT NO.: 13052.118
TAX KEY NUMBER: OCOT 0461.990
DATE: April 30, 2004
NAME OF PETITIONER: Robert Sell
W382 N8533 Main Street
Oconomowoc, WI 53066

EXHIBIT "A"

LOCATION OF PROPERTY:

Being a part of the NE ¼ of Section 8, T8N, R17E, Town of Oconomowoc. More specifically, the parcel is located southeast of Blue River Pass, north of the Ashippun River.

PRESENT ZONING:

A-5 Mini-Farm District.
R-1 Residential District.

PROPOSED ZONING:

R-2 Residential District.
A-2 Rural Home District.

PRESENT LAND USE:

Single-Family Residential.

PROPOSED LAND USE:

Single-Family Residential.

PUBLIC HEARING DATE:

April 29, 2004

COMPLIANCE WITH THE TOWN OF OCONOMOWOC LAND USE PLAN - 2020:

The Town of Oconomowoc Land Use Plan - 2020 designates this area in the Low Density Residential category consisting of single-family detached dwelling units of .67 to 2.1 dwelling units per acre, which represents lot sizes ranging from 20,000 square feet to 1.5 acres. Therefore, the proposed use is compatible with the Town of Oconomowoc Land Use Plan - 2020.

OTHER CONSIDERATIONS:

The petitioner is proposing to rezone approximately 2.84 acres of land from R-1 Residential District to R-2 Residential District. This portion of the parcel was rezoned in 2003 from A-5 Mini-Farm District to the current R-1 District. An approximately 19,000 square-foot strip adjacent to and the south portion of the property that was rezoned in 2003 and will be rezoned to R-2 Residential District. The remaining (approximately 5.25-acres) portion of the parcel is proposed to be rezoned from A-5 Mini-farm District to A-2 Rural Home District. The purpose of the rezone is to allow the petitioner to create a four (4)-lot development to compliment the Blue River Subdivision. The three (3) northern parcels will abut and have direct access to Blue River Pass. The southern 5.25-acre parcel will utilize the existing driveway and gain access to the property from Main Street. The proposed lots will be at least 120 feet wide with a depth of about 340 feet and range in size from 1.00 acre to 5.25 acres. No soils tests have been provided, however, the soils maps for the Town of Oconomowoc indicate the soils are classified as Fox (FsA) and Casco (CeB), which have slight limitations for on-site waste disposal systems.

STAFF RECOMMENDATION:

It is the opinion of the Town Planner that this request be **approved** subject to the following conditions:

1. The Development of the lands being rezoned shall be limited a maximum of four (4) single-family lots with on-site private waste disposal systems and private wells. Only one (1) Lot shall have direct access to Main Street unless a public road is constructed in compliance with the Town of Oconomowoc road specifications.
2. Subject to Certified Survey Map being submitted to the Town of Oconomowoc Plan Commission and Town Board for review and approval and all conditions of the same shall be satisfied.
3. Subject to Waukesha County Department of Parks and Land Use approving an erosion control and Storm Water Management Plan for the proposed use. Waukesha County and the Town Engineer, prior to any construction activities taking place, shall approve any changes or modifications to the existing storm water management facilities of Blue River Reserve.
4. Subject to the owner of the property reconstructing the ditch line along Blue River Pass to comply with the Town of Oconomowoc Land Division Ordinance for Road Standards. Construction plans shall be submitted to the Town Engineer for review and approval prior to any construction activities taking place.

Town of Oconomowoc Plan Commission

Sell Property Rezone

April 30, 2004

Project No. 13052.118

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5. All grading activities shall obtain the proper permits from the Town of Oconomowoc and Waukesha County.
6. The property owner shall accept the terms and conditions of this conditional rezoning approval in writing.

Respectfully submitted,

Jeffrey C. Herrmann, AICP
Town Planner

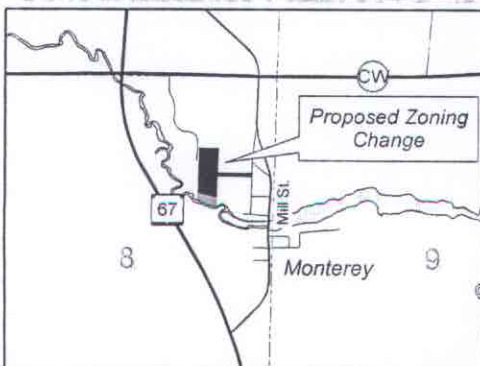
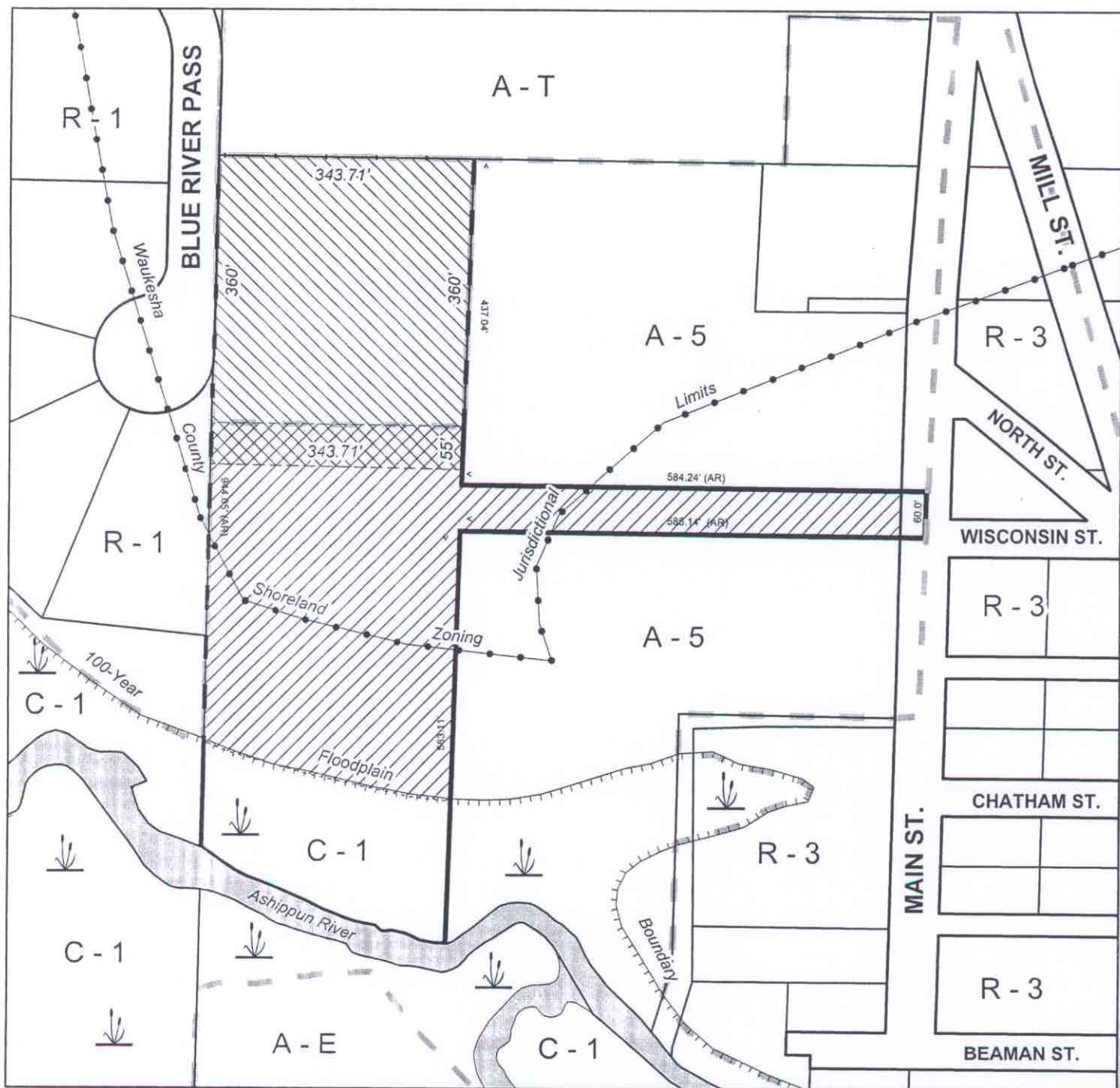
cc: Town of Oconomowoc Clerk
Town of Oconomowoc Building Inspector
✓ Waukesha County Department of Parks and Land Use
Robert Sell




159-0-022

9.

ZONING MAP AMENDMENT

PART OF THE NE 1/4 OF SECTION 8
TOWN 8N RANGE 17E (OCONOMOWOC)



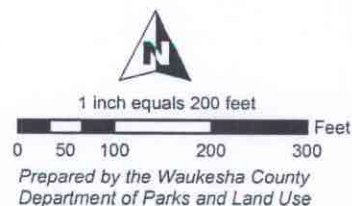
-  CONDITIONAL ZONING CHANGE FROM R-1 TO R-2 (2.8 AC)
-  CONDITIONAL ZONING CHANGE FROM A-5 TO R-2 (0.4 AC)
-  CONDITIONAL ZONING CHANGE FROM A-5 TO A-2 (3.9 AC)

FILE.....CZ-1503A

DATE.....5-20-04

AREA OF CHANGE.....7.1 ACRES

TAX KEY NUMBER.....OCOT 0461.990



159-0-022

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-06/22/04

(ORD) NUMBER-1590022

1 K. HERRO.....AYE
 3 D. STAMSTA.....AYE
 5 J. MARCHESE.....AYE
 7 J. JESKEWITZ.....AYE
 9 P. HAUKOHL.....AYE
 11 K. HARENDA.....
 13 J. MORRIS.....AYE
 15 D. SWAN.....AYE
 17 J. BEHREND.....AYE
 19 W. MITCHELL.....AYE
 21 W. KOLB.....AYE
 23 J. TORTOMASI.....AYE
 25 K. CUMMINGS.....AYE
 27 D. PAULSON.....AYE
 29 T. BULLERMANN.....
 31 V. STROUD.....AYE
 33 D. PAVELKO.....AYE
 35 C. SEITZ.....AYE

2 R. THELEN.....NAY
 4 H. CARLSON.....AYE
 6 D. BROESCH.....AYE
 8 J. DWYER.....AYE
 10 S. WOLFF.....AYE
 12 J. GRIFFIN.....AYE
 14 A. KALLIN.....AYE
 16 R. MANKE.....
 18 B. MORRIS.....AYE
 20 M. KIPP.....AYE
 22 G. BRUCE.....
 24 B. KRAMER.....
 26 S. KLEIN.....AYE
 28 P. JASKE.....AYE
 30 K. NILSON.....NAY
 32 P. GUNDRUM.....AYE
 34 R. SINGERT.....AYE

TOTAL AYES-28

TOTAL NAYS-02

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-30